

1 THOMAS E. FRANKOVICH,
2 **A PROFESSIONAL LAW CORPORATION**
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8 Attorneys for Plaintiff
9 CRAIG YATES, an individual

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 CRAIG YATES, an individual,

13 Plaintiff,

14 v.

15 CIGARETTE DEPOT; DON WONG and
16 MAR SHEE WONG, as Trustees of the
17 WAHONG BILL WONG BYPASS
TRUST, under Declaration of Trust dated
June 20, 1997; and ALI M. JAMIL, an
individual,

18 Defendants.

CV-10-2484-EDL

STIPULATION EXTENDING TIME
FOR DEFENDANTS DON WONG and
MAR SHEE WONG, as Trustees of the
WAHONG BILL WONG BYPASS
TRUST, under Declaration of Trust
dated June 20, 1997; CONTINUING
JOINT SITE INSPECTION DEADLINE;
AND [PROPOSED] ORDER THEREON

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21 Plaintiff CRAIG YATES, an individual and Defendants DON WONG and MAR SHEE
22 WONG, as Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of
23 Trust dated June 20, 1997, by and through their respective counsel, respectfully request and make
24 the following stipulation:

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28 STIPULATION EXTENDING TIME FOR DEFENDANTS DON WONG and MAR SHEE WONG, as Trustees of the WAHONG BILL
WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997; CONTINUING JOINT SITE INSPECTION DEADLINE;
AND [PROPOSED] ORDER THEREON

CV-10-2484-EDL

1 1. Defendant MAR SHEE WONG, as Trustee of the WAHONG BILL WONG
2 BYPASS TRUST, under Declaration of Trust dated June 20, 1997 was served with the
3 summons and complaint via personal service on July 23, 2010; defendant ALI M. JAMIL was
4 served with the summons and complaint via personal service July 29, 2010.

5 2. None of the defendants in the above-captioned matter have answered plaintiff's
6 complaint.

7 3 On August 3, 2010, via mail plaintiff's counsel was contacted by attorney,
8 Brennan J. Newsom on behalf of defendants DON WONG and MAR SHEE WONG, as
9 Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of Trust dated
10 June 20, 1997. Mr. Newsom requested a 30-day extension for defendants DON WONG and
11 MAR SHEE WONG, as Trustees of the WAHONG BILL WONG BYPASS TRUST, under
12 Declaration of Trust dated June 20, 1997.

13 4. Plaintiff has agreed to grant defendants DON WONG and MAR SHEE WONG,
14 as Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of Trust dated
15 June 20, 1997, a one time extension of 30-days on the condition that Mr. Newsom accepts
16 service on behalf of defendant DON WONG, Trustees of the WAHONG BILL WONG BYPASS
17 TRUST, under Declaration of Trust dated June 20, 1997.

18 5. Defense counsel has agreed to accept service on behalf of DON WONG, Trustee
19 of the WAHONG BILL WONG BYPASS TRUST, under Declaration of Trust dated June 20,
20 1997 and respond to plaintiff's complaint on or about but no later than September 13, 2010.

21 6. Plaintiff also request that the last day for the parties and counsel to conduct a joint
22 inspection of the premises be continued from September 13, 2010 to October 29, 2010, in order
23 to give all parties sufficient time to be served, appear, and meaningfully participate in the joint
24 inspection.

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28 STIPULATION EXTENDING TIME FOR DEFENDANTS DON WONG and MAR SHEE WONG, as Trustees of the WAHONG BILL
WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997; CONTINUING JOINT SITE INSPECTION DEADLINE;
AND [PROPOSED] ORDER THEREON

1 **IT IS SO STIPULATED:**

2 That the last day for defendants DON WONG and MAR SHEE WONG, as Trustees of
3 the WAHONG BILL WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997,
4 to answer or otherwise respond to plaintiff's complaint be extended up to and including
5 September 13, 2010, and the last day for the parties and counsel to conduct the joint inspection of
6 the premises pursuant to General Order 56, by and including October 29, 2010.

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8 Respectfully submitted,

9 Dated: August 9, 2010

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

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11 By: 
12 Thomas E. Frankovich

13 Attorneys for Plaintiff CRAIG YATES, an
individual

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28 **STIPULATION EXTENDING TIME FOR DEFENDANTS DON WONG and MAR SHEE WONG, as Trustees of the WAHONG BILL
WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997; CONTINUING JOINT SITE INSPECTION DEADLINE;
AND [PROPOSED] ORDER THEREON**

1 Dated: Aug 26, 2010

BRENNAN J. NEWSOM,
LAW OFFICES

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4 By: [Signature]

Brennan J. Newsom

6 Attorneys for defendants DON WONG and
7 MAR SHEE WONG, as Trustees of the
8 WAHONG BILL WONG BYPASS TRUST,
9 under Declaration of Trust dated June 20, 1997

10 **ORDER**

11 **IT IS SO ORDERED** that the last day for defendants DON WONG and MAR SHEE
12 WONG, as Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of
13 Trust dated June 20, 1997, to answer plaintiff's complaint is extended up to and including
14 September 13, 2010, and the last day for the parties and counsel to conduct the General Order 56
15 site inspection of the premises is continued up to and including October 29, 2010.

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18 Dated: August 26, 2010

[Signature]
HON. ELIZABETH D. LAPORTE

20 United States Magistrate Judge

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28 STIPULATION EXTENDING TIME FOR DEFENDANTS DON WONG and MAR SHEE WONG, as Trustees of the WAHONG BILL
WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997; CONTINUING JOINT SITE INSPECTION DEADLINE;
AND [PROPOSED] ORDER THEREON

CERTIFICATE OR PROOF OF SERVICE

State of California)
) ss
 County of Marin)

I, the undersigned, say: I am and was at all times herein mentioned, a citizen of the United States, over the age of eighteen (18) years and not a party to the within action or proceeding; that my business address is 4328 Redwood Hwy, Suite 300, San Rafael, CA 94903; that on the below date, following normal business practice, I served the foregoing document, described as:

STIPULATION EXTENDING TIME FOR DEFENDANTS DON WONG and MAR SHEE WONG, as Trustees of the WAHONG BILL WONG BYPASS TRUST, under Declaration of Trust dated June 20, 1997; CONTINUING JOINT SITE INSPECTION DEADLINE; AND [PROPOSED] ORDER THEREON

on the interested parties in this action, conveyed as follows:

☒ By depositing true copies thereof, enclosed in a sealed envelope, with postage thereon fully prepaid:
 ☒ in first class U.S. Mail
 ☐ in _____ priority or _____ standard overnight mail via Federal Express.
 I am readily familiar with this office's practice for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence, including said envelope, will be deposited with the United States Postal Service at San Rafael.

addressed to:

**Brennan J. Newsom
 Law Offices
 30 N. San Pedro Rd., Suite 195
 San Rafael, CA 94903**

**Ali M. Jamil, an individual, *In Pro Per*
 2254 Clement Street
 San Francisco, CA 94121**

I declare under penalty of perjury under the laws of the State of California that I am employed in the office of a member of the bar of this court at whose direction the service was made, and that the foregoing is true and correct. Executed on August 25, 2010, at San Rafael, California.


 Armetrice Cooper
 (Original signed)